

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
JP920000214US1 (19109)

In Re Application Of: **Hiroshi Takayasu, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/918,986	July 31, 2001	Tung S. Lau	23389	2863	3813

Invention: **METHOD AND SYSTEM FOR DETERMINING THE PERFORMANCE OF DATA PROCESSING
DEVICE WITH UNSYNCHRONIZED CLOCKS**

Attention: Office of Petitions
Mail Stop Petition
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: a Request for Continued Examination (RCE)

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on _____

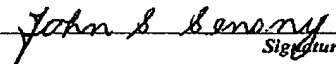
3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Calculation and Payment of Fees					
Enclosed are the following fees:					
6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:				<u>1,500</u>	
7. <input type="checkbox"/> Fee for amendment in the amount of:				<u> </u>	
8. <input type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of:				<u> </u>	
9. <input type="checkbox"/> Issue fee in the amount of:				<u> </u>	
10. <input type="checkbox"/> Continuing application filing fee in the amount of:				<u> </u>	
11. <input type="checkbox"/> Terminal disclaimer fee in the amount of:				<u> </u>	
12. <input type="checkbox"/> _____				<u> </u>	
Total fees enclosed:				<u>\$1,500.00</u>	
The fee of \$1,500 is to be paid as follows:					
<input type="checkbox"/> A check in the amount of the fee is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 09-0457/IBM					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					

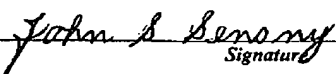
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Statement									
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.									
 _____ John S. Sensny Registration No. 28,757 Scully, Scott, Murphy & Presser 400 Garden City Plaza - Suite 300 Garden City, New York 11530 (516) 742-4343			Dated: October 5, 2005						
cc: JSS:jy			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="text-align: center;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</td></tr><tr><td style="text-align: center;">(Date)</td></tr><tr><td style="text-align: center;">Signature of Person Mailing Correspondence</td></tr><tr><td style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td></tr></table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on	(Date)	Signature of Person Mailing Correspondence	Typed or Printed Name of Person Mailing Correspondence
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Hiroshi Takayasu, et al.			Docket No. JP920000214US1 (19109)
Application No. 09/918,986	Filing Date July 31, 2001	Examiner Tung S. Lau	Group Art Unit 2863
Invention: METHOD AND SYSTEM FOR DETERMINING THE PERFORMANCE OF DATA PROCESSING DEVICE WITH UNSYNCHRONIZED CLOCKS			
<p>I hereby certify that this <u>Petition for Revival and Request for Continued Examination (RCE)</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u> on <u>October 5, 2005</u> (Date)</p> <p><u>John S. Sensny</u> (Typed or Printed Name of Person Signing Certificate)</p> <p><u>John S. Sensny</u> (Signature)</p> <p>Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

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<p>1. <input checked="" type="checkbox"/> A proposed reply to the above-identified notice or action:</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> is enclosed. <input type="checkbox"/> was filed on _____</p> <p style="margin-left: 40px;">The proposed reply is in the form of: <u>a Request for Continued Examination (RCE)</u></p>						
<p>2. <input type="checkbox"/> The issue fee:</p> <p style="margin-left: 40px;"><input type="checkbox"/> is enclosed. <input type="checkbox"/> was paid on _____</p>						
<p>3. <input checked="" type="checkbox"/> The abandoned application was a:</p> <p style="margin-left: 40px;"><input type="checkbox"/> design application. <input checked="" type="checkbox"/> utility application. <input type="checkbox"/> plant application.</p>						
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